

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

---

ELIAS GIPP, SG 1(minor), and SG 2  
(minor), through CORRINE KOPP, their  
Natural and/or Legal Guardian,

Case No. 1:19-cv-00213 DLH-CRH

Plaintiffs,

vs.

**STIPULATION FOR DISMISSAL  
WITHOUT PREJUDICE OF  
*BIVENS* CLAIMS**

RAYMOND WEBB AND UNITED  
STATES OF AMERICA,

Defendants.

---

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties stipulate to the dismissal of Count I (*Bivens* action) of the Second Amended Complaint (Doc. 24) against Defendant Raymond Webb without prejudice and without an adjudication on the merits. Each party shall bear their own costs, disbursements, and attorney fees.

Dated: July 7, 2023

**CONLIN LAW FIRM, LLC**

/s/ Taylor Brandt Cunningham  
TAYLOR BRANDT CUNNINGHAM, 9377  
THOMAS J. CONLIN, 6023  
STACY DEERY STENNES, 7228  
600 Highway 169 South, Suite 1650  
Minneapolis, MN 55426  
Telephone: (952) 252-0490  
Facsimile: (952) 252-0489  
Email: CLF@conlinlawfirm.com

**MARTENS, PLLC**

James W. Martens, 06495  
201 Slate Drive, Ste. 2  
Bismarck, North Dakota 58503  
Telephone: (701) 223-2000  
Email: jwmartens@martenspllc.com

***Attorneys for Plaintiffs***

Dated: July 7, 2023

**MAC SCHNEIDER**

United States Attorney

/s/ James Patrick Thomas  
JAMES PATRICK THOMAS  
Assistant United States Attorney  
ND Bar ID 06014

SARAH E. WALL  
Assistant United States Attorney  
ND Bar ID 07822  
P.O. Box 699  
Bismarck, ND 58502-0699  
(701) 530-2420  
james.p.thomas@usdoj.gov  
sarah.wall@usdoj.gov

***Attorneys for United States of America***

Dated: July 7, 2023

**BRIAN M. BOYNTON**  
Principal Deputy Assistant Attorney  
General  
Civil Division

**C. SALVATORE D'ALESSIO, JR.**  
Director, Torts Branch  
Civil Division

**RICHARD MONTAGUE**  
Senior Trial Counsel, Torts Branch  
Civil Division

/s/ Siegmund F. Fuchs  
SIEGMUND F. FUCHS  
District of Columbia Bar No. 986828  
Senior Trial Attorney  
JOSEPH A. GONZALEZ  
District of Columbia Bar No. 995057  
Trial Attorney  
Torts Branch, Civil Division  
U.S. DEPARTMENT OF JUSTICE  
Ben Franklin Station  
P.O. Box 7146  
Washington, D.C. 20044-7146  
(202) 616-4322 (phone)  
siegmund.f.fuchs@usdoj.gov  
joseph.a.gonzalez@usdoj.gov

***Attorneys for Defendant Raymond  
Webb***